

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**MOTION TO WITHDRAW  
AND SUBSTITUTE COUNSEL**

Jennifer F. Swain, Esq. of the law firm Johnston Barton Proctor & Powell LLP respectfully requests that she be allowed to withdraw as counsel for defendant Jeff Johnston. As grounds for this motion, Ms. Swain states as follows:

1. Effective July 17, 2006, Ms. Swain will no longer be practicing with Johnston Barton Proctor & Powell LLP.
2. Lynlee Wells Palmer of Johnston Barton Proctor & Powell LLP will continue to serve as counsel of record for Jeff Johnston in this action. Appearing as additional counsel of record for Jeff Johnston is John W. Sheffield of Johnston Barton Proctor & Powell LLP.

s/ Jennifer F. Swain  
Jennifer F. Swain (ASB-7761-I67J)

s/ Lynlee Wells Palmer  
Lynlee Wells Palmer (ASB-4367-T82P)

s/ John W. Sheffield  
John W. Sheffield (ASB-7423-D62J)

Attorneys for Defendant Jeff Johnston

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 12, 2006, I electronically filed the above and foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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s/ Jennifer F. Swain  
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